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| LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201 | | | | |
| | | | EXAMINER PILLAI, NAMITHA | |
| | | | ART UNIT 2173 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/712,064

Applicant(s)

DAWSON-GRANADOS ET AL.

Examiner

Namitha Pillai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 110, 112-117 and 119-129 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 110, 112-117 and 119-129 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The Examiner acknowledges Applicant's submission on 5/16/07 including amendments to claims 110, 112, 113, 117, 119, 120, 122 and 123 and the cancellation of claims 111 and 118. In view of the prior art of record and the 35 U.S.C. 112, 1st paragraph rejections, all pending claims have been rejected.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 110 and 117 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification has not clearly described the feature "***navigates from both the first and second browsers add to the browser history***". The specification has not provided a discussion of how as a result of navigates in the first and second browsers, these navigates are ***added*** to the browser history.

Since claims 112-116 and 119-124 depend on claims 110 and 117 and include all of the limitations of these claims, claims 112-116 and 119-124 are rejected under 35 U.S.C. 112, first paragraph.

3. Claim 113 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification has not provided a clear description of the features of this claim.

4. Claim 116 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification has not provided a clear description of the features of this claim.

5. Claim 124 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification has not clearly described the feature "***wherein the forward and back browser histories are related such that a current page in one of the browsers is in the forward history or the back history of another of the browsers***". The specification has not provided a clear discussion of the relation of the forward and back browser histories, where the relation is such that a

current page in one of the browsers is in the forward history or the back history of another of the browsers.

Since claims 125-129 depend on claim 124 and include all of the limitations of this claim, claims 125-129 are rejected under 35 U.S.C. 112, first paragraph.

6. Claims 125 and 126 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification has not provided a clear description of the features of this claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 110, 112-117, 119-129 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 2002/0052925 A1 (Kim et al.), "HOW-TO Beat the ADS on FWP (Free Webpage Providers)?", herein referred to as the "HOW-TO" article and Sams Teach Yourself Internet Explorer 4.0 (Joe Lowery), herein referred to as Lowery.

Referring to claims 110 and 117, Kim discloses an Internet browser (page 3,

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paragraph 45, lines 1-2 and paragraph 50, lines 1-6). Kim further discloses receiving a request to open a second browser window while a first browser window is displayed, and opening the second browser window if the request was initiated in response to a user action (page 6, paragraph 77, lines 7-9 and 16-19), wherein the user's request for another web page, through the clicking of a link is responded with the eventual display of the web page that the user had requested. The user request in the web browser can only be made after receiving a load finished event for the first browser and before receiving an unload event for the first browser. Kim does not disclose ignoring the request if the request was not initiated in response to user action, where the time when the user action cannot occur is after the receiving the unload event for the first browser and before receiving the load finished event for the first browser. The "HOW-TO" article discloses ignoring the request if the request was not initiated in response to a user action, wherein these requests would be calls for pop-up advertisements, which are requested by users and as explained by the article, it provides a means for ignoring these pop-ups ads (page 1, lines 16 and 27). It would have been obvious for one skilled in the art, at the time of the invention to learn from the "HOW-TO" article for implementing a means for ignoring the request for the display of advertisements, which are not initiated in response to a user action. Kim clearly discloses how pop-up advertisements are requested and displayed without any intervention from the user and the amount of annoyance this brings to users (page 1, paragraph 9). The "HOW-TO" article also discloses the annoyance that users experience and the inconvenience of these pop-up unrequested ads, and provides a solution for dealing with this problem.

To relieve any inconvenience to the users, Kim would be motivated to follow the teachings of the "HOW-TO" article to implement means for ignoring the request that is not initiated by the users. Hence, one skilled in the art, at the time of the invention would have been motivated to learn from the article to implement means for ignoring the request that is not initiated by the users.

Kim and "HOW-TO" do not disclose browser history information included in the second browser. Lowery discloses browser history means that tracks browser history across multiple distinct browser sessions (page 20, lines 18-26). Therefore a second browser that is opened would comprise a browser history of websites visited by a first browser. The navigates from both the first and second browsers are added to this browser history (page 21, Figure 3.3). It would have been obvious to one skilled in the art at the time of the invention to learn from Lowery to maintain browser history across multiple browser sessions. Lowery discloses components that are known and included in web applications. Lowery also discloses how browser history is easily accessible when maintained across multiple browser sessions over large periods of time. Therefore, one skilled in the art would have been motivated to learn from Lowery to disclose browser history information included in the second browser.

Referring to claim 112, Kim, "HOW-TO" and Lowery disclose keeping track of where browser transition occurs (Lowery, page 21, Figure 3.3).

Referring to claim 113, Kim, "HOW-TO" and Lowery disclose detecting in the browser history a transition between first and second browsers (page 21, Figure 3.3)

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and hiding in response to the detected transition, one of the first and second browsers and displaying the other (Lowery, page 21, lines 10-11).

Referring to claim 114, Kim and "HOW-TO" disclose verifying that interface pointers configured for passage when a browser open request is issued have passed (Kim, Figure 6), the figure showing the verification process.

Referring to claim 115, Kim and "HOW-TO" discloses ignoring window sizing command and superimposing the second browser on top of the first browser, the second browser being a full screen window that does not allow for sizing and is covering the first window (Kim, page 3, paragraph 45).

Referring to claim 116, Kim, "HOW-TO" and Lowery disclose after opening the second browser and before a navigate, receiving notice of the back button being pressed (Lowery, page 20, lines 14-17) and hiding in response to the back button, the second browser and revealing, consistent with the browser history, the first browser (Lowery, page 21, lines 10-11).

Referring to claims 119 and 127, Kim, "HOW-TO" and Lowery disclose including a current page of the first browser in the back history of the second browser (Lowery, page 21, lines 4-8).

Referring to claims 120 and 128, Kim, "HOW-TO" and Lowery disclose transitioning from the second browser to the first browser upon receiving notice of the back button (Lowery, page 21, lines 4-8).

Referring to claim 121, Kim, "HOW-TO" and Lowery disclose receiving notice of the back button being pressed (Lowery, page 20, lines 14-17) and hiding in response to

the notice, the second browser to reveal the first browser (Lowery, page 21, lines 10-11).

Referring to claims 122 and 129, Kim, "HOW-TO" and Lowery disclose maintaining a browser history, including back history and forward history reflecting operation of multiple browsers (Lowery, page 20, lines 18-26).

Referring to claim 123, Kim, "HOW-TO" and Lowery discloses maintaining separate threads for separate browsers and passing calls from one browser to another browser using the separate threads, wherein events occurring in one browser can affect content of another browser (Lowery, page 20, lines 18-26).

Referring to claim 124, Kim discloses a method implemented by a computer (Figure 3). Kim further discloses receiving a request to open a second browser window from a first browser window and opening the second browser window if the request was initiated in response to a user action (page 6, paragraph 77, lines 7-9 and 16-19), wherein the user's request for another web page, through the clicking of a link is responded with the eventual display of the web page that the user had requested. The user request in the web browser can only be made when a navigate is not occurring and not during an unloading of a page. Kim does not disclose ignoring the request if the request was not initiated in response to user action, where the time when the user action cannot occur is after the receiving the unload event for the first browser and before receiving the load finished event for the first browser. The "HOW-TO" article discloses ignoring the request if the request was not initiated in response to a user action, wherein these requests would be calls for pop-up advertisements, which are

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requested by users and as explained by the article, it provides a means for ignoring these pop-ups ads (page 1, lines 16 and 27). It would have been obvious for one skilled in the art, at the time of the invention to learn from the "HOW-TO" article for implementing a means for ignoring the request for the display of advertisements, which are not initiated in response to a user action. Kim clearly discloses how pop-up advertisements are requested and displayed without any intervention from the user and the amount of annoyance this brings to users (page 1, paragraph 9). The "HOW-TO" article also discloses the annoyance that users experience and the inconvenience of these pop-up unrequested ads, and provides a solution for dealing with this problem. To relieve any inconvenience to the users, Kim would be motivated to follow the teachings of the "HOW-TO" article to implement means for ignoring the request that is not initiated by the users. Hence, one skilled in the art, at the time of the invention would have been motivated to learn from the article to implement means for ignoring the request that is not initiated by the users.

Kim and "HOW-TO" do not disclose browser history information maintained across multiple browser sessions, where the history encompasses both forward and back history data. Lowery discloses browser history means that tracks browser history across multiple distinct browser sessions (page 20, lines 18-26). Both a first and second browsers have history data that includes forward and back navigates. The history data across the multiple browsers are associated in that a current page in the first browser would be in the history data of the second browser. It would have been obvious to one skilled in the art at the time of the invention to learn from Lowery to

maintain browser history across multiple browser sessions. Lowery discloses components that are known and included in web applications. Lowery also discloses how browser history is easily accessible when maintained across multiple browser sessions over large periods of time. Therefore, one skilled in the art would have been motivated to learn from Lowery to disclose browser history information maintained across multiple browser sessions, where the history encompasses both forward and back history data.

Referring to claim 125, Kim, "HOW-TO" and Lowery disclose tracking browser transitions such that, at a transition, user selection of a forward or back button, as appropriate, results in hiding of one browser and displaying of another browser (Lowery, page 20, lines 14-17).

Referring to claim 126, Kim, "HOW-TO" and Lowery discloses that the tracked browser transitions indicate, in the browser history, transitions between pages visited by the first browser and pages visited by the second browser (Lowery, page 21, lines 5-11).

Conclusion

8. Responses to this action should be submitted as per the options cited below: The United States Patent and Trademark Office requires most patent related correspondence to be: a) faxed to the Central Fax number (571-273-8300) b) hand carried or delivered to the Customer Service Window (located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in

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37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2100.

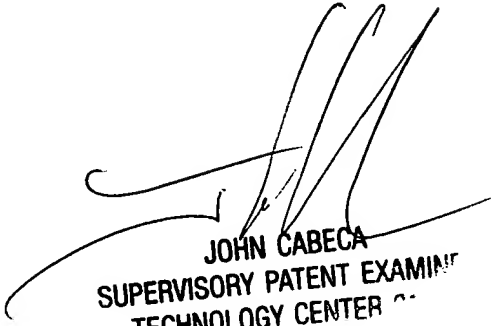
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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Namitha Pillai
Assistant Examiner
Art Unit 2173
July 20, 2007



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER